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11 [*additional counsel listed on signature page*]

12 Attorneys for Plaintiffs and all others similarly situated

13 **UNITED STATES DISTRICT COURT**

14 **NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION**

15 ENEIDA AMPARAN, RAFAEL CISNEROS
16 and GUADALUPE CISNEROS, individually
and on behalf of all others similarly situated,

17 Plaintiffs,

18 v.

19 PLAZA HOME MORTGAGE, INC.;
20 WASHINGTON MUTUAL MORTGAGE
SECURITIES CORP.; WAMU ASSET
21 ACCEPTANCE CORP.; and DOES 5 through
22 10 inclusive,

23 Defendants.

Case No. 5:07-CV-04498-EJD

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER TO RESCHEDULE CASE
MANAGEMENT CONFERENCE**

Current date: April 19, 2013
Proposed date: May 17, 2013
Time: 10:00 a.m.
Courtroom: Courtroom 4, 5th Floor
Judge: Hon. Edward J. Davila

1 Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule 6-1(b), plaintiffs Eneida
2 Amparan, Rafael Cisneros, and Guadalupe Cisneros ("Plaintiffs"), and defendant Plaza Home
3 Mortgage, Inc. ("Plaza Home" or "Defendant") (together, with Plaintiffs, the "Parties"), through
4 their undersigned counsel, stipulate as follows:

5 WHEREAS, by Order dated April 27, 2012 (Dkt. No. 200), this Court dismissed
6 defendants Countrywide Home Loans, Inc. and Countrywide Bank, FSB;

7 WHEREAS, by Order dated October 1, 2012 (Dkt. No. 209), this Court dismissed
8 defendants Washington Mutual Mortgage Securities Corp. and WaMu Asset Acceptance Corp.;

9 WHEREAS, by Order dated November 28, 2012 (Dkt. No. 214), this Court continued the
10 Case Management Conference in this matter to March 1, 2013 at 10:00 a.m. and stayed the case
11 until then, so that the parties could attempt to resolve the case through mediation;

12 WHEREAS, on January 29, 2013, the Parties participated in a mediation with mediator
13 Ross R. Hart;

14 WHEREAS, the Parties agreed to a settlement and on February 19, 2013 requested
15 additional time to finalize a settlement agreement, and to prepare and file a motion for preliminary
16 approval;

17 WHEREAS, this Court continued the Case Management Conference from March 1, 2013
18 to April 19, 2013,

19 WHEREAS, the parties have been working diligently on the settlement agreement, but
20 need an additional extension of four weeks to finalize the settlement agreement and to file a
21 motion for preliminary approval for the settlement;

22 WHEREAS, no Party will be prejudiced by the relief requested in this Notice of Settlement
23 and Stipulation; and

24 WHEREAS, this Notice of Settlement and Stipulation is without prejudice to, or waiver of,
25 any rights or defenses otherwise available to the Parties in this action;

26 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between Plaintiffs,
27 by their undersigned counsel, and Defendant, by their undersigned counsel, that, subject to the
28 approval of this Court:

- 1 (1) the Case Management Conference set for April 19, 2013 shall be continued to May 17,
2 2013 at 10:00 a.m.;
- 3 (2) the Parties shall submit a full Joint Case Management Statement in compliance with
4 Civil L.R. 16-9 and the Standing Order for All Judges of the Northern District of
5 California on or before May 10, 2013;
- 6 (3) if the Parties file a motion for preliminary approval of their settlement on or before
7 May 10, 2013, then the Case Management Conference shall be taken off calendar; and
8 (4) the proceedings in this action shall remain stayed in their entirety.

9 Respectfully submitted,

10 Dated: April 11, 2013

/s/ Lee A. Weiss

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Attorneys for Plaintiffs

21
22 Dated: April 11, 2013

/s/ John D. Alessio

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Attorneys for Defendant

Plaza Home Mortgage, Inc.

ECF CERTIFICATION

Pursuant to Local Rule 5-1(i)(3), the filing attorney attests that he has obtained concurrence regarding the filing of this document from the signatories to the document.

Dated: April 11, 2013

/s/ Lee A. Weiss

Lee A. Weiss (admitted *pro hac vice*)

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~~[PROPOSED]~~ ORDER

Pursuant to the Joint Notice of Settlement and Stipulation of counsel and for good cause shown, IT IS HEREBY ORDERED that:

(1) the Case Management Conference is continued to May 17, 2013 at 10:00 a.m.;

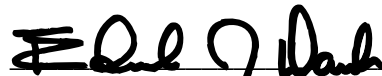
(2) the Parties shall submit a full Joint Case Management Statement in compliance with Civil L.R. 16-9 and the Standing Order for All Judges of the Northern District of California on or before May 10, 2013;

(3) if the Parties file a motion for preliminary approval of their settlement on or before May 10, 2013, then the Case Management Conference shall be taken off calendar; and

(4) the proceedings in this action shall remain stayed in their entirety.

(5) this is the final continuance of the Case Management Conference. All parties shall be personally present at the conference scheduled for May 17, 2013, unless it is vacated in advance. Requests for telephonic appearance will not be considered.

Dated: April 15, 2013



Judge Edward J. Davila
UNITED STATES DISTRICT JUDGE